

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

Blue Spike, LLC,

*Plaintiff,*

V.

Texas Instruments, Inc., et al.,

*Defendants.*

Civil Action No. 6:12-cv-00499

# JURY TRIAL DEMANDED

**Declaration of Scott Moskowitz in Support of Plaintiff Blue Spike LLC's Opposition to Defendants L-1 Identity Solutions, Inc. and MorphoTrust USA, Inc.'s Motion to Transfer Venue [Dkt. 588]**

I, Scott Moskowitz, declare as follows:

1. I am the Chief Executive Officer of Blue Spike LLC, a Texas limited liability company.
2. I am one of the inventors of all four patents-in-suit.
3. I am domiciled at 433 S. Chilton Avenue, Unit 3, Tyler, TX 75702.
4. Blue Spike has its headquarters and principal place of business at 1820 Shiloh Road, Suite 1201C, Tyler, Texas 75703
5. Blue Spike's computer servers, and sources of proof are all located in Tyler, Texas.
6. Blue Spike plans to call witnesses from Texas, including me.
7. Blue Spike has no offices, no employees, no customers, and no other meaningful contacts in New Jersey.
8. Litigating this action in New Jersey would be very difficult for

me due to my medical condition.

9. Litigating this action in New Jersey would be extremely inconvenient, expensive, and burdensome for Blue Spike.

10. A transfer would dramatically increase the costs of litigation for Blue Spike, would increase the amount of time that Blue Spike's witnesses and 2 employees would have to spend litigating the case, and would cause serious hardship for me personally, as I suffer from a medical condition that makes it very painful to travel long distances.

I declare on December 28, 2012, in Smith County under penalty of perjury under the laws of the United States and Texas that the statements made in this declaration are true and correct.

/s/ Scott Moskowitz  
Scott Moskowitz

**ATTESTATION**

I, Randall Garteiser, filed this declaration of Scott Moskowitz with his permission to sign it on his behalf. I used my ECF user ID to file this document on the date it is endorsed by the Court, December 28, 2012.

/s/ Randall Garteiser  
Randall T. Garteiser